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TAGS: PARM MTCRE ETTC PREL KNNP IR SY IS GM
SUBJECT: GERMANY EXPANDS REQUIREMENTS FOR EXPORT OF
DUAL-USE TRUCKS TO IRAN/SYRIA

REF: A. BERLIN 617

- IB. BERLIN 378
- IC. STATE 30857
- ID. STATE 5439
- IE. 07 BERLIN 2164
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- IG. 07 BERLIN 1770
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Classified By: Acting EMIN Ingrid M Kollist for
reasons 1.4 (b), (c), and (d).

I1. (S) On May 16, Germany expanded heavy truck export restrictions to Iran and Syria by issuing an amendment (16/9211) to the German Foreign Trade and Payment Regulations (AWV) -- the implementing regulation of the German Foreign Trade and Payments Act (FTP) -- exercising its authority to both preserve future foreign relations with Israel and uphold the integrity of German export control laws. Specifically, this amendment restricts the export of heavy trucks with three axles or more and a maximum load carrying weight of more than 20,000 kg if Iran or Syria is the procuring country or the country of destination. This action follows a series of demarches delivered to the German MFA (ref D and H), alerting Germany to Syrian and Iranian efforts to procure Mercedes Benz trucks that could be used to support those countries' missile programs.

KEY HIGHLIGHTS OF THE GERMAN FOREIGN TRADE ACT AMENDMENT

I2. (SBU) The AWV Export List Section 1 Paragraph 9A992 was amended to include the following item:

"Heavy trucks with three axles or more and a load carrying capacity of more than 20,000 kg, if the buying country or country of destination is Iran or Syria."

Trucks meeting the above specifications are now officially classified under German export control regulations as "dual-use."

I3. (SBU) This amendment requires German companies to obtain an export license from the German Federal Office of Economics and Export Controls (BAFA) before exporting trucks meeting the above specifications to Iran or Syria. The Government's formal justification for the amendment includes an Economic Ministry determination that the new requirements will not impose additional costs or result in adverse budgetary or economic effects, given the low number of prior Syrian or Iranian attempts to procure such items.

I4. (SBU) The Government's justification also lays out clearly the importance of related security concerns and potential diplomatic repercussions in the government's decision. The justification notes that Germany assesses mobile missile launchers as a clear and present danger to the

politically unstable regions in the Near and Middle East and cites privileged information as evidence that Iran and Syria use civilian truck chassis as mobile launch vehicles for short and medium range missile systems. The justification states that the delivery of heavy trucks that might be used in connection with Syrian and Iranian missile programs, could potentially harm partner countries' trust in Germany and its engagement in the fight against proliferation in connection with Syria and Iran. Additionally, the justification notes that German relations with Israel could deteriorate sharply as Israel faces threats by these missile systems.

COMMENT

¶5. (S) Germany has taken to heart the potential negative impact that the export to Syria or Iran of German dual-use trucks could potentially have both on the integrity of German export controls and on Germany's foreign relations with Israel. In this case, USG sharing of information that meets Germany's high technical and legal standards while simultaneously influencing a political imperative, has prompted the German Government, on the basis of sound economic and political logic, to put forward a more robust interpretation of the Foreign Trade and Payments Act.

TIMKEN JR